

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

In re:

286 Rider Ave Acquisition LLC,

Debtor.

Chapter 11

Case No. 21-11298-lgb

**SECOND AMENDED STIPULATION BETWEEN 286 RIDER DEVELOPMENT LLC
AND TITAN ENGINEERS PC
CONCERNING TREATMENT OF CLAIM**

WHEREAS, on July 15, 2021, 286 Rider Acquisition LLC (“**Debtor**”) filed a Chapter 11 petition for reorganization (the “**Bankruptcy Case**”);

WHEREAS, on August 5, 2021 286 Rider Ave Development LLC (“**Development**”) filed a motion to dismiss the Bankruptcy Case [Dkt # 17];

WHEREAS, on August 30, 2021 Titan Engineers PC (“**Claimant**”) joined in Development’s motion to dismiss [Dkt# 38];

WHEREAS, on December 14, 2021, Claimant filed a proof of claim in the amount of \$50,000.00 (the “**Claim**”);

WHEREAS, Claimant also filed duplicative claims Nos. 6 and 7 on January 13, 2022 and January 24, 2022 (the “Duplicative Claims”); and

IT IS HEREBY STIPULATED AND AGREED THAT:

1. The above clauses are fully incorporated into this Stipulation and Order;
2. Claimant and Development have consented to the following treatment to be made directly to Claimant, outside of the Bankruptcy Case, in full and final satisfaction of the Claim, conditioned upon entry of an order dismissing the Bankruptcy Case:

- a. Development shall pay \$50,000 to Claimant after the dismissal of the Bankruptcy

Case, and payment shall be made outside of the Bankruptcy Case;

- b. Simultaneously with the entry of an order dismissing the Bankruptcy Case, and without further action, the Claim, shall be deemed withdrawn;
- c. The Duplicative Claims Nos. 6 and 7 shall be and are withdrawn without further action.
- d. Development does not need to escrow any funds it has agreed to pay Claimant.

3. Claimant supports the dismissal of the Bankruptcy Case, and Claimant does not wish for any further proceedings to take place in the Bankruptcy Case in front of Judge Beckerman, other than the full and complete dismissal of the Bankruptcy case.

4. This stipulation may be signed in counterparts, and electronic, facsimile and .PDF copies of signatures shall be treated as originals for all intents and purposes.

Dated: New York, New York
February 9, 2022

286 RIDER AVE DEVELOPMENT LLC

TITAN ENGINEERS PC

By: 
Its: Managing Member

By: 
Its: Authorized Signatory